

**ARTICLE 17**  
**CG - COMMERCIAL GENERAL DISTRICT**

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**Legislative Intent.** This district is designed for general commercial business and certain industrial uses which are not characterized by heavy trucking, highway service uses, and/or outside storage or display areas. The regulations for the district are designed to accommodate heavier commercial/industrial uses which are not necessarily compatible with a community shopping center or central business area.

**17-1 Use Regulations.** A building may be erected, altered, or used and a lot or premises may be used or occupied, for any of the following purposes and no other.

**17-1.1 Uses Permitted by Right:**

- Stores for the retail sale of antiques; automobile supplies; artworks and supplies; books; cigars; clothing and apparel of any kind; dry goods; drugs; garden supplies; gifts; electrical goods and supplies; food and food products of any kind including production of bakery goods for retail sale in the same establishment, but not including the killing of poultry or any other livestock; furniture; household furnishings and decorator's supplies; hardware; luggage and leather goods; office supplies; optical goods; pets and pet supplies; photographic equipment and supplies; variety goods; toys; jewelry; liquor; music; stationery; newsstands; and other similar retail establishments.
- Stores for the retail sale and/or repair of household appliances, musical instruments, and sporting goods.
- Retail service stores and personal service shops such as barber shops; beauty parlors; shoe repair shops; tailor shops; hand laundries; laundromats; establishments for receiving and distributing articles for laundering or cleaning; and blueprint, photostat, and printing establishments.
- Office for business or professional use.
- Banks and other financial institutions.
- Restaurants.
- Real Estate Offices.
- Clinics.
- Cleaning and pressing establishments.
- Studios and trade schools.
- Vending machines and laundromats.

- Commercial nurseries and greenhouses.
- Lawn and garden equipment.
- Broadcasting stations.
- Non-fee parking lots or structures.
- Hotels and motels with appurtenant restaurants.
- Automobile sales, truck sales and service repair garages, automobile body shops, and tire recapping and retreading. (All vehicles must be parked on paved surfaces).
- Car Washes.
- Veterinary hospitals.
- Milk and soft drink distribution stations.
- Farm equipment, motorcycle, boat, and sport trailer sales and service.
- Service stations.
- Lumber and building supply with undercover storage.
- Plumbing and electrical supply with undercover storage.
- Cabinet, upholstery, and furniture shops.
- Taxidermist.
- Grain and feed supply stores.
- Frozen food lockers.
- Commercial recreational establishments.
- Funeral Homes.
- Theaters.
- Public buildings.
- Signs subject to Article 25.
- Off-street parking subject to Article 24.
- Open space subject to Article 23.
- Accessory uses customarily incidental to these uses.
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit.
- Household Pet Grooming.
- Home and Commercial Retail Establishments (All outdoor storage shall be enclosed by a fence, wall, or landscaping adequate to conceal the storage area and its contents from any adjacent property.)

**17-1.2** Uses Permitted by Special Use Permit. The following uses will be permitted upon authorization of the Town Council subject to Article 4, Section 4-8.

- Commercial parking lots and garages.
- Taxicab stands.
- Clubs, lodges, and assembly halls.
- Transportation facilities such as bus terminals, and railroad stations.
- Animal kennels.
- Outdoor theaters.
- Heliports.
- Monument sales.
- Farmers markets.
- Crematories.
- Carnivals, fairs, and other similar uses of a temporary nature.
- Wholesale establishments but not warehouses generally.
- Self-service storage compartments commonly known as mini-warehouses.
- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings.
- Child care centers (amended by Council 4/7/87).
- Active and passive recreation and recreational facilities.
- Transitional housing (Amended by Council 5/14/96)

## **17-2 Area Regulations**

**17-2.1** Minimum lot size:

- Ten thousand (10,000) square feet.
- The minimum area regulations may be modified by the Town Council in accordance with the provisions of Section 4-8.2a. (Amended by Council 11/12/97).

**17-2.2** Maximum percent lot coverage:

- Ninety (90) percent including off-street parking.

## **17-3 Setback Regulations**

- Forty (40) feet from the right-of-way of a local street having a right-of-way fifty (50) feet or less.
- Sixty (60) feet from the right-of-way of a major thoroughfare or collector street having a right-of-way greater than fifty (50) feet.
- Forty (40) feet from the right-of-way of a service drive.
- Accessory buildings shall not be permitted forward of the setback line.

#### **17-4 Frontage Regulations.**

The minimum lot width shall be seventy-five (75) feet.

#### **17-5 Yard Regulations**

Side: Ten (10) feet adjacent to any C or I district including structures but not including parking lots.

Twenty-five (25) feet adjacent to any R district including parking lots or structures; or a distance equal to the height of the building in the CG district, whichever is the greater distance.

Rear: Fifteen (15) feet adjacent to any C or I district including structures but not including parking lots.

Twenty-five (25) feet adjacent to any R district including parking lots or structures; or a distance equal to the height of the building in the CG district, whichever is the greater distance.

#### **17-6 Height Regulations**

Buildings may be erected up to forty-five (45) feet in height from grade except that:

- A public or semi-public building such as a school, church, or library may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over forty-five (45) feet.
- Church spires, belfries, cupolas, monuments, cooling towers, municipal water towers, chimneys, flues, flagpoles, and television antennae are exempt.

Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

- Accessory buildings over fifteen (15) feet in height shall be at least ten (10) feet from any lot line. All accessory buildings shall be less than the main building in height.

#### **17-7 Special Provisions for Accessory Structures**

- Accessory buildings aggregate area shall not exceed twenty-five (25) percent of the open space within a given development.
- Accessory buildings shall not be located closer than five (5) feet to any rear side property line adjacent to any R district.
- Service station pumps, pump islands, and detached freestanding pump canopies may occupy required yards provided they are not less than fifteen (15) feet from street lines.
- Open fire escapes of noncombustible material may project into side or rear yards by not more than four (4) feet and be no closer to any property line than five (5) feet.

#### **17-8 Screening**

The district shall be permanently screened from adjoining and contiguous residential district by a wall, fence, evergreen hedge, and/or other suitable enclosure of minimum height five (5) feet and maximum height eight (8) feet. Any area between such enclosure and the property line shall be landscaped to form a permanent screening area. The requirement for a screening enclosure and/or screening area may be waived if equivalent screening is provided by existing parks, parkways, recreational areas, or by topography or other natural conditions.

The above requirement shall not apply when the (architectural) front of any commercial building faces the street across from an R district or when the strict application of the requirement relative to screening can be demonstrated on the site plan as not serving the purpose for which it is intended.

## 17-9 Lighting

Lighting facilities shall be arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference. Lighting facilities shall be required along private and public streets and within parking areas, installed at the developer's expense.

## 17-10 Performance Standards

- Performance Standards. Performance standards for each use will be in conformance with standards adopted by the Town Council, and in no case shall standards relative to water, air, and sound, and land pollution control be less than those standards adopted by the Virginia Department of Health, the Virginia Water Control Board, and the Virginia Air Pollution Control Board.
- The sound pressure level of sound radiated from an establishment, measured at the lot line of the site thereof that is the nearest thereto, shall not exceed the values in any octave band of frequency that are specified in Table I, or in Table I as modified by the correction factors set forth in Table II. The sound-pressure level shall be measured with a sound level meter and an associated octave band analyzer conforming to standards prescribed by the American National Standards Institute.

Table I  
Maximum Permissible Sound Pressure Levels Measured  
re 0.0002 dyne per CM<sup>2</sup>

Frequency Band Cycles per Second	Along Residential District Boundaries - Maximum Permitted Sound Level In Decibels	At Any Other Point on the Lot Boundary - Maximum Permitted Sound Level In Decibels
63	64	72
125	60	70
250	54	65
500	48	59
1000	42	55
2000	38	51
4000	34	47

8000	30	44
Table II Correction Factors		
Condition	Correction in Decibels	
On a site contiguous to or across a street from the boundary of any R-district established by this chapter.	Minus 5	
Operation between the hours of 10:00 p.m. and 7:00 a.m.	Minus 5	
Sound of impulsive character (e.g., hammering)	Minus 5	
Sound of periodic character (e.g., sawing)	Minus 5	
Tone (e.g., hum or screech)	Minus 5	
Sound source operated less than:		
20% in any one hour period	Plus 5 <sup>1</sup>	
5% in any one hour period	Plus 10 <sup>1</sup>	
1% in any one hour period	Plus 15 <sup>1</sup>	

1: Apply only one of these corrections. All other corrections (including any one of the footnoted corrections) are cumulative.

- Smoke Control:
  - No smoke shall be emitted from any chimney or other source a visible grey greater than No. 1 on the Ringlemann Smoke Chart as published by the U.S. Bureau of Mines.
  - Smoke of a shade not darker than No. 2 on the Ringlemann Chart may be emitted for not more than four (4) minutes in any thirty (30) minutes.
  - These provisions, applicable to visible grey smoke, shall also apply to visible smoke of a different color, but with an equivalent apparent opacity.
- Control of Dust and Dirt, Fly Ash and Fumes, Vapors and Gases:
  - No emission shall be made which can cause any damage to health, to animals or vegetation or to other forms of property, or which can cause any excessive soiling at any point.
  - No emission of liquid, other than water, or solid particles from any chimney or otherwise shall exceed the following:

- For less than eight (8) million Btu/hr.: a maximum of 0.3 grains per standard cubic foot corrected to twelve (12) percent carbon dioxide, seventy (70) degrees F., and one (1) atmosphere pressure.
- For over eight (8) million Btu/hr.: a maximum of .08 grains per standard cubic foot corrected to twelve (12) percent carbon dioxide, seventy (70) degrees F., and one (1) atmosphere pressure.
- For measurement of the amount of particles in gases resulting from combustion, standard correction shall be applied to a stack temperature of five hundred (500) degrees F. and fifty (50) percent excess air.
- Control of Odors. There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at lot boundary line. Any process which may involve the creation or emission of any odors shall be provided with a secondary safeguard system, so that control will be maintained if the primary safeguard system shall fail. There is hereby established as a guide in determining such quantities of offensive odors, Table III (Odor Thresholds) in Chapter 5 "Air Pollution Abatement Manual" copyright 1951 by Manufacturing Chemists' Association, Inc., Washington, D.C.
- Control of Glare or Heat. Any operation producing intense glare or heat shall be performed within an enclosed building or behind a solid fence in such manner as to be completely imperceptible from any point beyond the lot lines.
- Control of Vibration. No vibration which is discernible to the human sense of feeling shall be perceptible without instruments at any point beyond the lot lines.
- Control of Radioactivity or Electrical Disturbance. There shall be no activities which emit dangerous or harmful radioactivity. There shall be no electrical disturbance (except from domestic household appliances) adversely affecting the operation of any equipment located beyond the property of the creator of such disturbances.
- Outdoor Storage and Waste Disposal:

- No flammable or explosive liquids, solids, or gases shall be stored in bulk above ground, provided, however, that tanks or drums of fuel directly connecting with energy devices, heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision.
- All outdoor storage facilities for fuel, raw materials and products and all fuel, and all raw materials and products stored outdoors shall be enclosed by a fence adequate to conceal the facilities from any adjacent properties.
- No materials or wastes shall be deposited upon a lot in such form or manner that it may be transferred off the lot by natural causes or forces.
- All material or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.
- Refuse containers or refuse storage areas shall be located in a paved area and hidden from general public view, either from within or outside the lot, by means of fences, walls, or landscape planting.
- Electrical Diesel, Gas, or Other Power. Every use requiring power shall be so operated that the service lines, substation, etc., shall conform to the most acceptable safety requirements recognized by the Virginia Bureau of Labor and Industry, shall be so constructed, installed, etc., to be an integral part of the architectural features of the plant, or if visible from abutting residential properties, shall be concealed by coniferous planting or other appropriate screening.
- Industrial Waste or Sewage. No use shall be conducted in such a way as to discharge any treated or untreated sewage or industrial waste treatment and disposal except as shall be approved by Sanitary Engineers or other qualified persons at the expense of the owner of the premises.
- Provision and Use of Water. All water requirements shall be stated in the application. If water is to be supplied from wells, an approved or accepted geologic study shall be furnished by the applicant, with a certification by a professional geologist that the underground capacity for water supply and water table levels will not be appreciably altered in such a way as to endanger the available supply for other properties in the vicinity.

- Other Uses. Any use, which in the opinion of the Planning Commission and Town Council, might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise, or other cause shall be prohibited unless the applicant can substantially prove that such environmental impacts can be eliminated or controlled to meet the performance standards established by the Town.